

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEMONDRAY D. MAYO,
Petitioner,
vs.
STATE OF NEVADA, *et al.*,
Respondents.

3:09-cv-00316-ECR-RAM

ORDER

This is an action on a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Federal Public Defender (FPD) was appointed to represent petitioner and has not appeared. The attorney representing petitioner is Paul G. Turner, Federal Public Defender, 411 E. Bonneville, Suite 250, Las Vegas, NV 89101. His telephone number is (702) 388-6577.

In this habeas corpus action, on March 31, 2005, counsel appeared on behalf of respondents (docket #9). Respondents' counsel is Dennis C. Wilson, Deputy Attorney General, 555 East Washington Avenue #3900, Las Vegas, Nevada, 89101, 702-486-2377. Respondents have not yet appeared and shall be required to do so within ten days of this order.

The Court will set a schedule for further proceedings in this action.

IT IS THEREFORE ORDERED that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the

1 procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as
2 fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise
3 petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action
4 and that the failure to do so will likely result in any omitted grounds being barred from future review.

5 **IT IS FURTHER ORDERED** that petitioner shall have **sixty days**, to file and serve
6 an amended petition for writ of habeas corpus, which shall include all known grounds for relief (both
7 exhausted and unexhausted).

8 **IT IS FURTHER ORDERED** that respondents shall have **ten days** from entry of
9 this order to identify the particular deputy attorney general who will represent respondents and make
10 an appearance with the court and **thirty (30) days** after service of an amended petition within which
11 to answer, or otherwise respond to, the amended petition. If petitioner does not file an amended
12 petition, respondents shall have thirty (30) days from the date on which the amended petition is due
13 within which to answer, or otherwise respond to, petitioner's original petition.

14 **IT IS FURTHER ORDERED** that if and when respondents file an answer,
15 petitioner shall have **thirty (30) days** after service of the answer to file and serve a reply.

16 **IT IS FURTHER ORDERED** that counsel for respondents shall make available to
17 counsel for petitioner (photocopying costs at the latter's expense), as soon as reasonably possible,
18 copies of whatever portions of the state court record they possess regarding the judgment petitioner
19 is challenging in this case.

20 Dated this 24th day of May, 2010

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23 UNITED STATES DISTRICT JUDGE

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